THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21272 OF 2005

DATED:29.9.2005

Between:

Chintakunta Venkata Mahalakshmamma

…Petitioner

And

The Mandal Revenue Officer, Savalapuram

Guntur District

…Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.21272 OF 2005

ORDER:

The petitioner approached the respondent seeking pattadar pass books and title deedd in respect of the land comprised in S.Nos (D.Nos.).442/1, 442/3-A, 442/3-C, 484, 485 and 318/1 of Velpuru Village. The respondent in effect rejected the request of the petitioner by endorsement dt.15.9.2005 *inter alia* on the ground that there are disputes in respect of the above lands. The petitioner was advised to approach the Civil Court and then file a claim for pattadar pass books. This order is assailed in the Writ Petition.

A reading of the endorsement would show that the same is one passed under Section 5(1) of the A.P. Rights in Land and Pattadar Pass Books Act, 1971. If any person is aggrieved by any order passed under Section 5(1) of the Act either amending or modifying the record of rights, he/she can file appeal to the jurisdictional Revenue Divisional Officer under sub-section (5) of Section 5 of the Act. The petitioner has not availed the effective, efficacious and speedy alternative remedy and therefore at this stage, the question raised cannot be adjudicated, especially when it involves question of fact.

Therefore, giving liberty to the petitioner to file appeal within a period of ten days from today, and further directing the appellate authority to dispose of the said appeal, if it is filed within ten days, within two weeks thereafter, the Writ Petition is disposed of. No costs.

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(V.V.S.RAO, J)

29.9.2005

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Note:CC by 3.10.2005.

(B.O)

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